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LEE & HAYES PLLC 421 W RIVERSIDE AVENUE SUITE 500 SPOKANE, WA 99201			HAMILTON, LALITA M	
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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 09/747,308
Filing Date: December 22, 2000
Appellant(s): JAKSTADT ET AL.

David Morasch
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed October 27, 2005 appealing from the Office action mailed April 6, 2005.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

No evidence is relied upon by the examiner in the rejection of the claims under appeal.

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 102

Claims 1-9, 19-25, and 27 are rejected under 35 U.S.C. 102(e) as being anticipated by Hilt (6,408,284).

Hilt discloses an electronic bill pay system and corresponding method for consumers comprising a first component, hosted by a financial service center, to navigate the UI and invoke one or more functions of the financial service center and a second component, hosted by a third-party, to provide detailed billing information from a biller to the user (col.12, line 48 to col.13, line 23; col.17, lines 28-55; and fig.4-all); a Web server (col.10, lines 45-57 and col.18, lines 25-37—encompasses Web server); a second component to provide detailed billing information from a biller to a user of the financial service center on the Web server (col.12, line 48 to col.13, line 23; col.17, lines 28-53; and col.18, lines 10-37); a secure third-party development platform via which authorized third-party content developers can develop content for publications via the EBPP system for posting to users of the EBPP system on one or more servers (col.10, lines 45-57; col.12, line 48 to col.13, line 23; col.17, lines 28-53; and col.18, lines 10-37); the second component is only provided to the user upon verification of user authorization to receive the detailed billing information (col.19, line 64 to col.20, line 45 and fig.10-all); the first component provides summary billing information (col.20, lines 45-68 and fig.11-all); the financial service center receives batch bill information along with authentication strings from the biller (col.17, lines 28-54 and col.18, line 38 to col.19, line 55 and fig.9-all); the authentication strings are sent to the third-party to

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authorize delivery of the second component (col.17, lines 28-54 and col.18, line 38 to col.19, line 55 and fig.9-all); each of the financial service center and the third-party independently create the billing statement on the server (col.17, lines 28-54 and col.18, line 38 to col.19, line 55 and fig.9-all); the billing statement is comprised of a plurality of executable instructions sent from the financial service center and the third-party for rendering in a browser executing on a user computing system (col.17, line 28 to col.18, line 10); a storage medium comprising a plurality of executable instructions which, when executed, render a billing statement according to the above claim (col.12, line 48 to col.13, line 23; col.17, lines 28-55; and fig.4-all); a financial service center, providing a common network address where consumers can review and pay bills from a number of billers, to host at least a subset of a billing statement for review by a requesting user and a third-party server, coupled to the financial service center, to provide bill summary information to the financial service center, which securely and imperceptibly redirects the user to the third-party server which hosts at least a subset of the billing statement comprising detailed billing information (col.12, line 48 to col.13, line 23; col.17, lines 28-55; and fig.4-all); one or more servers, coupled to a data network, through which billers and consumers access the EBPP system and a secure third-party development platform, wherein registered developers can develop content for publication via the EBPP system upon validation (col.12, line 48 to col.13, line 23; col.17, lines 28-55; and fig.4-all); the secure third party development platform comprises a development server, wherein authorized third-party content developers can remotely develop and debug content for subsequent posting to users through the one or more servers and a

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validation agent, responsive to the development server, to automatically test and certify that the third-party content developed on the development server is robust and will not harm production servers (col.18, line 38 to col.19, line 55); a production server, to receive validated third-party content and simulation agent, to automatically perform load testing on the validated third-party content (col.18, line 38 to col.19, line 55); content that passes load testing is promoted from the production space to the one or more servers for access and use by consumers and billers (col.18, line 38 to col.19, line 55); a method of validating a third-party developed content for publication through an electronic bill presentment and payment system, the method comprising receiving third-party developed content, reading the received third-party developed content, reviewing the content to identify logical, syntactical or security errors, and promoting only that content for which no errors are identified for publication on one or more servers comprising the EBPP system (col.12, line 48 to col.13, line 23; col.17, lines 28-55; col.18, line 38 to col.19, line 55; and fig.4-all); posting validated third-party content to a production server and simulating consumer load on the validated third-party content to ensure that the content will perform under load (col.18, line 38 to col.19, line 55); posting third-party content from the production server to one or more web servers providing a consumer interface to the EBPP system upon verification that the content will perform under consumer load (col.18, line 38 to col.19, line 55); issuing instructions to a requesting user to render a billing statement, wherein the billing statement reflects the third-party content, while one section of the billing statement is hosted by the web servers, while another section of the billing statement is hosted by a third-party server

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(col.12, line 48 to col.13, line 23; col.17, lines 28-55; col.18, line 38 to col.19, line 55; and fig.4-all); the third-party server is hosted by the biller (col.18, line 38 to col.19, line 55); and issuing instructions to a requesting user to render a billing statement, wherein the billing statement reflects the third-party content, while one section of the billing statement is hosted by the web servers, while another section of the billing statement is hosted by a third-party server (col.18, line 38 to col.19, line 55).

(10) Response to Argument

Argument: Hilt does not disclose an electronic billing statement comprising both a first component hosted by a financial service center and a second component hosted by a third party.

Response: Hilt discloses an electronic billing statement (col.10, lines 45-67) having a first component hosted by a financial service center and a second component hosted by a third party (col.12, lines 48-67 and col.18, lines 10-25). The bank (financial service center) hosts the first component that allows users to interact with billers. The bank allows users to interact with the biller through bill pay option on the bank's network. The second component is hosted by the third party (payment network) in which billing information is sent to the user's bank from the biller's bank.

Argument: Hilt does not disclose "the financial service center receives batch information along with authentication strings from the biller" or "the authentication strings are sent to the third party to authorize delivery of the second component".

Response: Hilt discloses a financial service center that receives batch bill information along with authentications strings from a biller (col.19, lines 8-43) and

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authentication strings are sent to the third party to authorize delivery of the second component (col.19, lines 8-43). The financial service center receives the batch bill information along with authentication strings from the biller by way of the payment network. The claim does not specify that the financial service center receives the batch bill information along with authentication strings *directly* from the biller. The authentication strings are sent to the third party component (payment network) to authorize delivery of the second component (detailed billing information).

Argument: Hilt does not disclose “each of the financial service center and the third-party independently create the electronic billing statement on the Web server”.

Response: Hilt discloses “each of the financial service center and the third-party independently create the electronic billing statement on the Web server” (col.18, line 60 to col.19, line 43—encompasses a Web server). The third party (payment network) independently generates the biller’s billing statement and forwards the billing statement to the financial service center (bank), which then generates a billing statement to be viewed by the customer. Therefore, both the financial service center and third-party independently create an electronic billing statement on the Web server.

Argument: Hilt does not disclose a financial service center providing a common network address where consumers can review and pay bills from a number of billers.

Response: Hilt a financial service center providing a common network address where consumers can review and pay bills from a number of billers (col.20, line 45 to col.21, line 30). When consumers log into their bank accounts to view and pay bills, they are doing so on the bank’s website, which is a common network address.

Argument: Hilt does not disclose a third-party server coupled to the financial service center to provide bill summary information to the financial service center, which also redirects the user to the third party server which hosts at least a subset of the billing statement comprising billing information.

Response: Hilt discloses a third-party server coupled to the financial service center to provide bill summary information to the financial service center, which also redirects the user to the third party server which hosts at least a subset of the billing statement comprising billing information (col.20, line 45 to col.21, line 30). The third party server is coupled to the financial service center to transmit the billing information between the two entities. In claim 9, the Appellant recites that the user is “imperceptibly” redirected to the third party server, which means that this would be done unnoticeable to the user. The user may be imperceptibly redirected to the third party server which hosts at least a subset of the billing statement comprising detailed billing information while reading the billing statement provided by the financial service center on the financial service center website.

Argument: Hilt does not disclose a development platform to develop content for publication via an EBPP system for posting to users.

Response: Hilt discloses a development platform to develop content for publication via an EBPP system for posting to users (col.12, line 48 to col.13, line 23). As claimed in claim 19, Hilt discloses a secure third party development platform (payment network) via which authorized third-party content developers (billers) can

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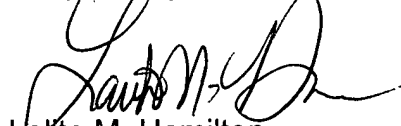
develop content for publication (billing statement) via the EBPP system for posting to users of the EBPP system (customers) on the one or more servers.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,



Lalita M. Hamilton

Conferees:

Vincent Millin

Hani Kazimi

